

NOTICE TO THE PUBLIC

EXPEDITED ADOPTION PROPOSAL

Chapter 296-52 WAC, Safety Standards for Possession and Handling of Explosives

The Department of Labor and Industries is proposing to adopt amended industrial safety and health rules by the Expedited Adoption process. The expedited rule-making process, which will eliminate the need for the agency to hold public hearings, prepare a small business economic impact statement, or provide responses to the criteria for a significant legislative rule.

If you object to this rule being adopted using the expedited rule-making process, you must express your objections in writing and they must be sent to:

Carmen Moore
Department of Labor and Industries
PO Box 44001
Olympia WA 98504-4001

Objections may also be faxed (10 pages or less) to 360.902.4202.

OBJECTIONS MUST BE RECEIVED NO LATER THAN 5:00 p.m. on January 21, 2003.

The rules are proposed under the authority granted by RCW 49.17.010, 49.17.040 and 49.17.050. A summary of the proposed rules follows:

The changes to chapter 296-52 WAC, Safety Standards for Possession and Handling of Explosives, is a result of the passage of Chapter 370, Laws of 2002 (Second Substitute Senate Bill 6080) that was enacted in 2002. Additional housekeeping changes will also be made throughout the chapter and the low explosive table from the nationally recognized standard, the Bureau of Alcohol, Tobacco, and Firearms is being proposed.

The department filed an expedited proposal on July 23, 2002 in response to the legislative changes. Comments were received during the comment period and therefore an additional expedited proposal is being filed in order to incorporate the comments.

New Section

WAC 296-52-69130 Table of distances for the storage of display fireworks (except bulk salutes)

- The proposal adds a low explosive table from the Bureau of Alcohol, Tobacco, and Firearms, which is a nationally recognized standard.

Amended Sections

WAC 296-52-60020 Exemptions

- WAC 296-52-60020(1)(d). The proposal reorganizes and adds a bullet to include arsenals, navy yards, depots, or other establishments owned by, operated by, or on behalf of the United States.
- WAC 296-52-60020(5). The proposal replaces class of explosive with division of explosive.

WAC 296-52-60130 Definitions

- The proposal updates the definition of blasting agent and improvised device.
- The proposal replaces class of explosive with division of explosive in the definition for explosives, explosives classifications, explosives international markings, and low explosive.
- The proposal replaces smokeless propellants with smokeless powder in the definition.
- Housekeeping change is proposed to the definition of mudcap, the word bodying is being replaced with dobying.

WAC 296-52-67160(2) Types and classifications

- The proposal replaces class of explosive with division of explosive.

WAC 296-52-67065 Vibration and damage control

- Housekeeping changes to table 8-B are being proposed. The proposal will correct the formulas by replacing Z with 2.

WAC 296-52-68060 Operation of vehicles transporting explosives

- The proposal replaces class of explosive with division of explosive.
- Housekeeping changes to correct a numbering error.

WAC 296-52-69010 Explosives

- The proposal replaces class of explosive with division of explosive.

WAC 296-52-69015 Exempt explosives

- The proposal replaces smokeless propellants with smokeless powder.

WAC 296-52-69095 Ammonium nitrate

- The proposal replaces class of explosive with division of explosive.

WAC 296-52-69125 Table H-24 – Low explosives

- The proposal replaces class of explosive with division of explosive.

WAC 296-52-70010(1)(a) Building construction for class 1 magazine

- The proposal would correct an error in the current standard by requiring the masonry wall be at least eight inches thick.

WAC 296-52-710 Exemptions

- The proposal replaces smokeless propellants with smokeless powder.

WAC 296-52-71020 Storage with division 1.1, 1.2, or 1.3 explosives

- The proposal replaces class of explosive with division of explosive.

WAC 296-52-71040 Shipping container

- The proposal replaces class of explosive with division of explosive.
- The proposal replaces smokeless propellants with smokeless powder.

WAC 296-52-71045 Storage

- The proposal replaces smokeless propellants with smokeless powder.

Details of specific proposed amendments will be published in Washington State Register 02-23 on December 4, 2002. The tentative adoption date for these rules is March 5, 2003 and the tentative effective date is June 1, 2003.

Additional copies of the proposed rule changes are available upon request by calling toll free 1-800-423-7233 or (360) 902-5484 or by written request to the Department of Labor and Industries, WISHA Services Division, Standards Section, Post Office Box 44620, Olympia, Washington 98504-4620.